

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

| | |
|--|---|
| -----X | |
| VICTOR HERRERA, et al., | : |
| | : |
| Plaintiffs, | : |
| | : |
| -against- | : |
| | : |
| THE PATROLMEN’S BENEVOLENT | : |
| ASSOCIATION OF THE CITY OF NEW YORK, | : |
| INC., MICHAEL IMMITT and LOUIS GALLO, in | : |
| their capacity as representatives of THE | : |
| PATROLMEN’S BENEVOLENT ASSOCIATION | : |
| OF THE CITY OF NEW YORK, INC., | : |
| | : |
| Defendants. | : |
| -----X | |

No. 02-CV-3163 (NG) (JMA)

NOTICE OF PBA DEFENDANTS’ MOTION FOR A DECLARATION
THAT VICTOR HERRERA IS NOT A PROPER PLAINTIFF

PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law in Support of the PBA Defendants’ Motion for a Declaration that Victor Herrera is Not a Proper Plaintiff and the Declaration of Donna Krouzman together with the exhibits annexed thereto, defendants Patrolmen’s Benevolent Association of the City of New York, Inc. and Michael Immitt and Louis Gallo in their capacity as representatives of the PBA (collectively, the “PBA Defendants”), will move this Court, pursuant to Rule 57 of the Federal Rules of Civil Procedure and on a date to be set by this Court, for an order declaring that Victor Herrera is not a proper plaintiff in this action.

Dated: New York, New York
June 30, 2010

Respectfully submitted,

DEBEVOISE & PLIMPTON LLP

/s/ Donna Krouzman
By: Mark P. Goodman
Erich O. Grosz
Donna Krouzman

919 Third Avenue
New York, New York 10022
Tel: (212) 909-6000
Fax: (212) 909-6836

Attorneys for Defendants
Patrolmen's Benevolent Association
of the City of New York, Inc., Michael
Immitt and Louis Gallo